

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

UNITED STATES OF AMERICA,

Plaintiff,

v.

WALMART INC. and WAL-MART  
STORES EAST, LP,

Defendants.

Civil Action No. 20-1744-CFC

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**ORDER**

Having read the parties joint status report (D.I. 62), I agree with the United States that the most efficient use of judicial and party time and resources is for the United States to amend its Complaint or, if necessary, to seek leave to amend its Complaint.

NOW THEREFORE, at Wilmington on this Twelfth day of July in 2022, **IT IS HEREBY ORDERED** that

1. Within 45 days of the entry of this Order, the United States shall share a draft of its proposed Amended Complaint with Defendants;
2. Once the United States shares a draft of its proposed Amended Complaint, the parties shall within 14 days meet and confer about whether Defendants will provide written consent to the filing of the proposed Amended Complaint under Fed. R. Civ. P. 15(a)(2);

3. Within five days of the conclusion of the parties' meet and confer, if Defendants decline to provide written consent to the amendment, the United States shall file a motion for leave to amend its Complaint;

4. Walmart shall in the meantime study Federal Rule of Civil Procedure 15 and Third Circuit case law interpreting that rule. *See, e.g.*, Rule 15(a)(2) (noting that "[t]he court should *freely* give leave when justice so requires") (emphasis added).

  
UNITED STATES DISTRICT JUDGE